

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF IAN L. PESCAIA

I, Ian L. Pescaia, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based upon my personal knowledge unless otherwise indicated.

2. I currently reside in Ivins, Utah.

3. At the time of the 9/11 Attacks, I was the domestic spouse and dependent of Christine Ann Snyder.

4. On the morning of September 11, 2001, Christine was a passenger on United Airlines Flight 93. Terrorists hijacked Flight 93 and crashed the passenger jet into a field in Somerset County, Pennsylvania, killing Christine and all of the other passengers on board the flight.

5. Prior to boarding Flight 93, Christine had left the home that we shared together in Kailua, Hawaii, several days earlier so that she could travel for work to an American Forestry Conference in Washington, D.C. After the conference, Christine had visited New York City for a few days, and then she boarded Flight 93 in Newark, New Jersey to return to our home in Kailua, Hawaii.

6. At the time of Christine's death on September 11, 2001, we had been living together for approximately seven years, although we had known each other for approximately seventeen years.

7. Christine and I first met when we were both teenagers attending Kalaheo High School in Kailua, Hawaii. We began dating nine years later in 1993. In 1994, we began living together in my parents' home in Kailua, Hawaii.

8. In approximately 1997, Christine and I borrowed the necessary funds from my parents to make the down payment on a townhouse in Kailua, Hawaii. Christine and I continuously lived together as domestic partners in this townhouse from 1997 until her death on September 11, 2001. Attached as Exhibit A to this Declaration is a true and correct copy of a photograph of Christine and me that was taken in approximately 2001 in front of our Kailua townhouse.

9. In addition to purchasing our Kailua townhouse together, Christine and I became engaged in 1997.

10. On June 2, 2001, just over three months prior to the horrific events of 9/11, Christine and I exchanged wedding vows before a gathering of our closest friends and relatives. We pledged our love and devotion to one another in a wedding ceremony which was presided over by the Reverend Janice Schmidt. The wedding ceremony took place in a beautiful and serene setting in the Molii Gardens at Kualoa Ranch on Oahu, Hawaii. Attached as Exhibits B and C are true and correct copies of photographs of our beautiful wedding ceremony. Further attached as Exhibit D is a true and correct copy of the Certificate of Marriage issued by Reverend Schmidt to Christine and me on June 2, 2001, at the end of our wedding ceremony.

11. Although Christine and I had exchanged our wedding vows on June, 2, 2001, and Reverend Schmidt had issued to us a valid Certificate of Marriage, Christine and I had not obtained a Marriage License from the State of Hawaii prior to our wedding ceremony. Our reason for not obtaining a Marriage License prior to going through with the wedding ceremony centered around the timing of a medical coverage issue which necessitated that the wedding be postponed for

several months. While Christine and I intended to obtain the required Marriage License and have Reverend Schmidt solemnize our legal vows as soon as the above medical coverage issues had been resolved, Christine was killed in the terrorist attacks on 9/11 before we could pursue the Marriage License.

12. While our marital union may have lacked an official Marriage License under Hawaii law, all of the evidence outlined herein, including Exhibits A through F, demonstrate that Christine and I were spouses at the time of her death on September 11, 2001. Our marital relationship was a true union in every sense of the word, and we shared a deep and enduring love that had been witnessed by our friends and family members.

13. As further evidence of our marital union, I filed IRS Form 1040 (U.S. Individual Income Tax Return) for the 2001 tax year with my filing status listed as "Married Filing Jointly" due to my marriage to Christine in June of 2001. Attached as Exhibit E is a true and correct copy of my 2001 IRS Form 1040 that I filed with the Internal Revenue Service.

14. Additionally, in the weeks after the events of 9/11, I received a letter with condolences related to Christine's passing from the late Honorable Daniel K. Inouye, U.S. Senator from Hawaii. Senator Inouye noted in the letter that during his visit with Christine in his Washington, D.C., office on September 5, 2001, he observed that "[T]houghts of you were on [Christine's] mind, and I noticed her gently caressing her wedding ring during our meeting." Attached as Exhibit F is a true and correct copy of the letter I received from Senator Inouye offering condolences on the loss of my beloved wife, Christine.

15. With the assistance of legal counsel, I sought to be appointed as the legal representative of Christine's estate as her surviving spouse by way of the filing of an emergency *ex parte* Petition for

the Appointment of Special Administrator in the Hawaii First Circuit Court in May of 2002. The Court granted my Petition request and appointed me as Special Administrator of Christine's estate.

16. After my appointment as Special Administrator of Christine's estate, I began the process of filing a claim with the September 11th Victim Compensation Fund of 2001 ("VCF") seeking compensation for Christine's wrongful death as her spouse and the personal representative of her estate.

17. However, Charles O. Snyder, Christine's biological father, did not believe that the wrongful death awards issued by the VCF to family members provided adequate compensation. Seeking to thwart my pursuit of a VCF claim on behalf of Christine's estate, Mr. Snyder retained the aviation law firm of Baum Hedlund. Through counsel, Mr. Snyder sought to have me removed as the Special Administrator of Christine's estate so that he could become the personal representative to act on behalf of the estate in all legal matters.

18. Mr. Snyder successfully petitioned the Hawaii Probate Court to replace me as Special Administrator of Christine's estate due to our lack of an executed Marriage License under Hawaii law at the time of Christine's death. In his capacity as the Special Administrator, Christine's father later withdrew the claims I had filed with the VCF on behalf of Christine's estate.

19. Christine's cremated remains were returned to me after the events of 9/11. I had Christine's remains interred in my family's cemetery plot located in Nuuanu Valley, Honolulu, Hawaii on March 17, 2002. Attached hereto as Exhibit G are true and correct copies of Christine's gravesite.

20. After Christine's death on 9/11, I received constant reminders of her absence, especially in the Kailua townhouse that we had made our home. Christine's pet cat, Horace, used to run outside to greet Christine when she pulled up to our townhouse in her truck. After 9/11,

Horace would still run out to greet Christine every time I pulled into her parking space. His reaction to Christine's absence would break my heart. Traumatized by all of the reminders of Christine's absence, Horace and I moved out of the Kailua townhouse within a year of Christine's death.

21. Christine was a unique soul. At the time of her passing, she was one of only a few female certified arborists nationwide and the first one ever to join the staff of The Outdoor Circle, a non-profit environmental group based in Honolulu. Christine's work at The Outdoor Circle had been her life's passion, and she became well-respected by all those with whom she interacted on environmental issues and tree care on the island of Oahu. Just a year before her death, Christine supervised a group of volunteers in planting various species of trees on Magic Island, which is part of the Ala Moana Beach Park in Oahu. To this day, Oahu is covered with trees of all kinds planted in Christine's honor and memory. Many of these areas include benches with plaques and other memorials to Christine that overlook these trees. These areas were a constant reminder to me of the idyllic life that was taken from us and from which I will never fully recover. Attached as Exhibit H is a true and correct copy of a photograph of one of these memorial benches that includes the inscription "In Honor of Christine Snyder."

22. Due to my overwhelming and painful memories of the loss of Christine, my wife and the love of my life, I decided to leave Hawaii to try to escape from my anguish. I now live in Utah, a place that is vastly different from the landscape that I shared with Christine in Hawaii. While moving to Utah provided me with some relief from the constant reminders of Christine's death, I will never fully recover from the loss of my wife due to the terrorist attacks of 9/11.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 14 day of June -2024.


Ian L. Pescaia

Exhibit A

Christine and Ian Pescaia
outside of their townhouse
Kailua, Hawaii
2001

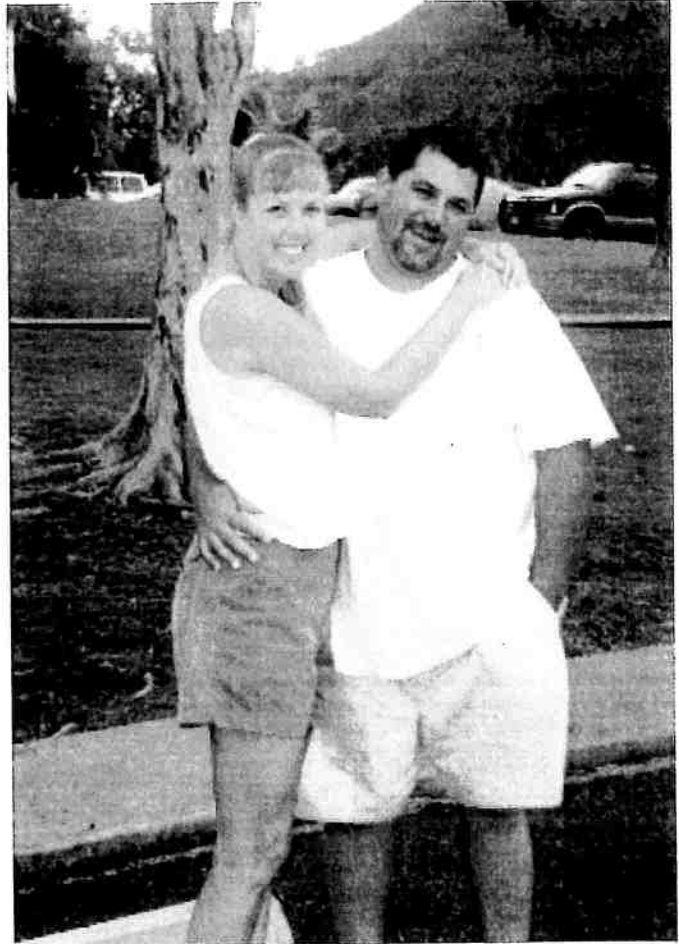


Exhibit B



**Christine's Wedding Ceremony Day
Molii Gardens at Kualoa Ranch, Oahu, Hawaii
June 2, 2001**



Neal Snyder (father) and Christine

Exhibit C



Christine, Rev. Janice Schmidt and Ian Pescaia
during Christine and Ian's wedding ceremony

**Molii Gardens at Kualoa Ranch, Oahu, Hawaii
June 2, 2001**



Christine and Ian Pescaia
following their wedding ceremony

Exhibit D

Certificate of Marriage

THIS IS TO CERTIFY

That on the 2nd day of June
in the year of our Lord 1920
Christine Ann Snyder
and
Jan Lincoln Pescaia

WERE BY ME UNITED IN
MARRIAGE

At Molii Gardens, Kualoa Ranch
according to the laws of Honolulu, Hawaii

By Rev James Lee Schmidt  { Devie D Adams
Janice E. Snyder

110001
11-27-01

Tax and Credits		Other Taxes		Payments		Refund		Amount You Owe		Third Party Designee		Sign Here		Paid Preparer's Use Only	
34 Amount from line 33 (adjusted gross income) 34		53 Self-employment tax. Attach Schedule SE 53		59 Federal income tax withheld from Forms W-2 and 1099 59		67 If line 66 is more than line 58, subtract line 58 from line 66. This is the amount you overpaid 67		70 Amount you owe. Subtract line 66 from line 58. For details on how to pay, see page 52 70		Do you want to allow another person to discuss this return with the IRS (see page 53)? <input checked="" type="checkbox"/> Yes. Complete the following. <input type="checkbox"/> No		Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.		Preparer's signature: <i>[Signature]</i> Date: <i>5-7-02</i>	
35a Check if: <input type="checkbox"/> You were 65 or older, <input type="checkbox"/> Blind; <input type="checkbox"/> Spouse was 65 or older, <input type="checkbox"/> Blind. Add the number of boxes checked above and enter the total here 35a		54 Social security and Medicare tax on tip income not reported to employer. Attach Form 4137 54		60 2001 estimated tax payments and amount applied from 2000 return 60		68a Amount of line 67 you want refunded to you 68a		71 Estimated tax penalty. Also include on line 70 71		Designee's name: <i>PREPARER</i> Phone no.:		Your signature: <i>[Signature]</i> Date: <i>5/13/02</i>		Firm's name (or yours if self-employed), address, and ZIP code:	
b If you are married filing separately and your spouse itemizes deductions, or you were a dual-status alien 35b		55 Tax on qualified plans, including IRAs, and other tax-favored accounts. Attach 5329 if required 55		61a Earned income credit (EIC) 61a		b Nontaxable earned income 61b				Personal identification number (PIN):		Spouse's signature. If a joint return, both must sign. Date: Spouse's occupation:		Check if self-employed: <input type="checkbox"/> EIN: Phone no:	
36 Itemized deductions (from Schedule A) or your standard deduction (see left margin) 36		56 Advance earned income credit payments from Form(s) W-2 56		62 Excess social security and RRTA tax withheld (see page 51) 62		63 Additional child tax credit. Attach Form 8812 63									
37 Subtract line 36 from line 34 37		57 Household employment taxes. Attach Schedule H 67		64 Amount paid with request for extension to file (see page 51) 64		65 Other payments. Check if from a <input type="checkbox"/> Form 2439 b <input type="checkbox"/> Form 4136 65									
38 If line 34 is \$99,725 or less, multiply \$2,900 by the total number of exemptions claimed on line 6d. If line 34 is over \$99,725, see the worksheet on page 32 38		58 Add lines 52 through 57. This is your total tax 58		66 Add lines 59, 60, 61a, and 62 through 65. These are your total payments 66		67 If line 66 is more than line 58, subtract line 58 from line 66. This is the amount you overpaid 67									
39 Taxable income. Subtract line 38 from line 37. If line 38 is more than line 37, enter -0- 39						68a Amount of line 67 you want refunded to you 68a									
40 Tax. Check if tax from a <input type="checkbox"/> Form(s) 8814 b <input type="checkbox"/> Form 4972 40						b Amount of line 67 you want applied to your 2002 estimated tax 69									
41 Alternative minimum tax. Attach Form 6251 41						c Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings <input type="checkbox"/> Account number									
42 Add lines 40 and 41 42															
43 Foreign tax credit. Attach Form 1116 if required 43															
44 Credit for child and dependent care expenses. Attach Form 2441 44															
45 Credit for the elderly or the disabled. Attach Schedule R 45															
46 Education credits. Attach Form 8863 46															
47 Rate reduction credit. See the worksheet on page 36 47															
48 Child tax credit (see page 37) 48															
49 Adoption credit. Attach Form 8839 49															
50 Other credits from: a <input type="checkbox"/> Form 3800 b <input type="checkbox"/> Form 8396 c <input type="checkbox"/> Form 8801 d <input type="checkbox"/> Form (specify) 50															
51 Add lines 43 through 50. These are your total credits 51															
52 Subtract line 51 from line 42. If line 51 is more than line 42, enter -0- 52															

Exh. 8.7 F



UNITED STATES SENATE
WASHINGTON, D. C.

DANIEL K. INOUE
HAWAII

October 12, 2001

Dear Mr. Pescaia:

It is with heavy heart that I write to you and offer my sincerest condolences on the loss of your beloved wife, Christine Snyder. Although there are no words to comfort you at this painful time, please know that you and your family are in my thoughts and prayers.

As you know, I met with Christine on September 5th in my office. She was lovely and vibrant, and she demonstrated great passion for her work to preserve and protect Hawaii's beauty. Thoughts of you were on her mind, and I noticed her gently caressing her wedding ring during our meeting.

May you find comfort in the memories of your wife's remarkable life. Hawaii is a better place because of her, and she will be missed by all who knew and loved her.

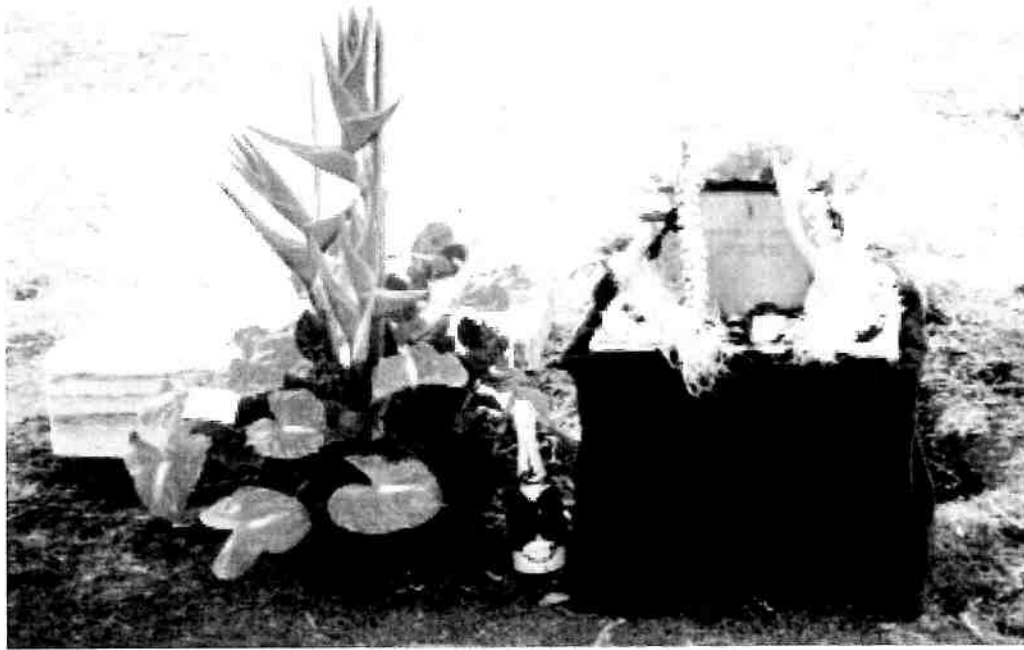
Aloha,

A handwritten signature in black ink, appearing to read 'D. Inouye', written over a horizontal line.

DANIEL K. INOUE
United States Senator

Mr. Ian Pescaia
c/o The Outdoor Circle
1314 South King Street, Suite 306
Honolulu, Hawaii 96814

Exhibit G



Christine's cremated remains were interred at the Pescaia family plot in Oahu Cemetery on March 17, 2002. The cemetery is located in the Nuuanu Valley in Honolulu, Hawaii.



Ian Pescaia at Christine's gravesite

Exhibit H



A memorial bench "In Honor of Christine Snyder." The side of the bench facing the Pacific Ocean bears the inscription "Arborist Extrordinaire." The memorial bench was dedicated on November 10, 2001 at Magic Island. Magic Island is located at the Diamond Head end of Ala Moana Beach Park just southeast of Honolulu, Hawaii. Honolulu city mayor, Jeremy Harris, issued a proclamation designating November 10th as "Christine Snyder Day." (See Miscellaneous, Tab 10.) Several hundred people attended the dedication that also included multiple tree plantings to honor Christine.